ARTICLES AND RULES, FOR THE Better-GOVERNMENT OF Their Majesties FORCES IN *SCOTLAND.*

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33

Articles and Rules for the better Government of Their Majeſties Forces in *SCOTLAND.*

ARTICLE I.

ALL Officers and Soldiers (not having juſt impediment) ſhall diligently frequent Divine Service and Sermon, on *Sunday's*, and other days ſet a part for publick Faſting and Humiliation, in ſuch places as ſhall be appointed for the Regiment wherein they ſerve. And for thoſe, who either wilfully or negligently abſent themſelves from Divine Service or Sermon, or elſe being preſent, do behave themſelves undecently, or irreverently during the ſame; if they be Officers, they ſhall be ſeverly reprehended at a Court-Martial: But if Soldiers, they ſhall for every ſuch Offence forfeit each man 12 *pence*, to be deducted out of his next Pay, & for the ſecond Offence ſhall forfeit 12 *pence*, and be laid in Irons for 12 hours. And for every like Offence afterwards, ſhall ſuffer and pay in like manner.

ART. II.

DUring the time of Divine Service, Publick Prayers, and Sermon, as aforeſaid; If any Sutler or Seller of Ale, Bear, Wine or any ſort of Drinks, Bread, Victuals, or other Commodities or Merchandiſe whatſoever attending the Army, ſhall put or ſet any ſuch thing to Sale, he ſhal forfeit the full value thereof for the uſe of the Poor.

ART. III.

WHoſoever ſhall uſe any unlawful Oath or Execration (whether Officer or Soldier) ſhall incur the ſame Penalty that is expreſſed in the firſt Article.

ART. IV.

IF any Officer or Soldier ſhall preſume to blaſpheme the Holy and individed Trinity, or the Perſons of God the Father, God the Son, or God the Holy Ghoſt, or ſhall preſume to ſpeak againſt any known Article of the Chriſtian Faith, he ſhall have his Tongue bored through with a red hot Iron.

ART. V.

IF any Officer or Soldier ſhall abuſe or profane any place dedicated to the Worſhip of God, or ſhall offer violence to any Miniſter or Chaplain of the Army, or any other Miniſter of Gods Word, he ſhall ſuffer ſuch puniſhment as ſhall be inflicted on him by a Court-Martial.

But whoever ſhall take any of the Utenſils or Ornaments belonging or dedicated to Gods Worſhip in any Church or Chappel, ſhall ſuffer death for the Fact.

ART. VI.

AFter the ſervice of God Almighty, all Officers and Soldiers ſhall ſerve their Majeſties faithfully, to the beſt of their Skill, Power and underſtanding, and to that purpoſe every one of them of what quality or condition ſoever, ſhall for himſelf take the following Oath, which ſhall be adminiſtred by ſuch perſon or perſons, and in ſuch places as Their Majeſties, or the chief Officer commanding Their Forces ſhall appoint.

Form of the Military Oath to be taken by every Officer and Soldier in the Army, and Militia.

I A. B. *Do ſincerely promiſe and ſwear, that I will be faithfull, and bear true Allegiance to Their Majeſties King* WILLIAM *& Queen* MARY, *and to be obedient in all things to their Majeſties, or Commander in Chief authorized by Their*

Their Majeſties for the time being; and will behave my ſelf obediently to my Superior Officers, in all that they ſhall command me for their Majeſties ſervice: And I do further ſwear, that I will be a true, faithfull and obedient Soldier, every way performing my beſt endeavours for their Majeſties ſervice, obeying all Orders, and ſubmitting to all ſuch Rules and Articles of War, as are, or ſhall be eſtabliſhed by Their Majeſties. So help me *GOD.*

ART. VII.

NO Officer or Soldier ſhall uſe any traiterous words againſt the Sacred Perſons of the King and Queens moſt Excellent Majeſties upon pain of death.

ART. VIII.

WHoever ſhall hold correſpondence with any of our Enemies, or ſhall give them advice or intelligence, either by Letters, Meſſages, Signs or Tokens, or any manner of way whatſoever, ſhall ſuffer death for it And whatever Regiments, Troop or Company ſhall treat with the Enemy, or enter into any condition with them without Our leave or leave of Our General, or the chief Commander in his Abſence, the Officers of ſuch Regiment, Troop or Company, who are found guilty, ſhall die for it, and of Soldiers who ſhall conſent thereunto, every tenth man by lot ſhall be hanged, and the reſt ſhall be puniſhed at the diſcretion of Our General. But whatever Officers or Soldiers can prove that they did their utmoſt to reſiſt and avoid ſuch a Treaty, and were no ways partaker of the Crime, they ſhall not only go free, but alſo be rewarded for their conſtancy and fidelity.

ART. IX.

WHo ever ſhall go about to entice or perſwade either Officer or Soldier, to joyn or engage in any traiterous or rebellious Acts, either againſt Our Royal Perſon or Kingly Government, ſhall ſuffer death for it; and who-

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ever ſhall not reveal to his Superior Officer ſuch a Conſpiracy, or intended Rebellion, ſo ſoon as ever it ſhal come to his knowledge, ſhal be judged equally guilty with the Contrivers of ſuch a Plot or Conſpiracy, and conſequently ſhal ſuffer the ſame Penalty.

ART. X.

IF any Officer or Soldier ſhal behave himſelf diſgracefully towards Our General, Lieutenant-General, or other Chief Commander of the Army, or ſpeak words tending to his hurt or diſhonour, he ſhall die for it.

ART. XI.

HE who in preſence of our General, Lieutenant-General, or other Commander in Chief, ſhal draw his Sword, with a purpoſe to do any Officer, or any of his Fellow-ſoldiers a miſchief, ſhall die for it.

ART. XII.

SUch Reſpect and Obedience as is due to Our General, or Great Officer, from thoſe under his Command, is likewiſe due unto all Superior Officers from their Inferiors, under the like penalty.

ART. XIII.

WHoſoever ſhal preſume to violate any Safe-guard, Conduct, or Protection given by Us, Our General, Lieutenant-General, or other Commander in Chief of Our Forces (knowing the ſame) ſhal ſuffer death.

ART. XIV.

IF any number of Soldiers ſhall preſume to aſſemble, to take counſel amongſt themſelves for the demanding their Pay, any Inferior Officer acceſſory thereunto ſhall ſuffer death for it, as the Heads and Ring-leaders of ſuch Mutinous and Seditious Meetings; and if any Captain being privy thereunto, ſhal not ſuppreſs the ſame, or complain of it, he ſhall likewiſe be puniſhed with death.

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ART. XV.

NO Officer or Soldier ſhal utter any words tending to Sedition, Mutiny, or Uproar, upon pain of death, or ſuffering ſuch puniſhment, as ſhal be inflicted upon him by a Court-martial. And whoever ſhal hear any mutinous or ſeditious words ſpoken, and ſhal not with all poſſible diligence reveal the ſame to his ſuperior Officers or Commanders, ſhal be puniſhed, as a Court-martial ſhal think fit.

ART. XVI.

IF any inferior Officer or Soldier, ſhal refuſe to obey his Superior Officer, or quarrel with him, he ſhal be caſhiered: But if any ſhall preſume, to reſiſt any Officer in the execution of his Office, or ſhal ſtrike, or lift up his hand to ſtrike; or ſhal draw, or offer to draw, or lift up any Weapon againſt his Superior Officer, upon any pretence whatſoever, he ſhall ſuffer death.

ART. XVII

EVery Soldier ſhal keep ſilence when the Army, or any Regiment, Troop or Company is marching, embattelling or taking up their Quarters, (to the end, that their Officers may be heard, and their Orders executed) upon pain of Impriſonment, at the Diſcretion of the Officers.

ART. XVIII.

HE, who ſhal in anger draw his Sword, whilſt his Colours are flying, either in Battel, or upon the March, unleſs it be againſt the Enemy, ſhall run the Goad-loup.

ART. XIX.

WHen any March is to be made, every man who is ſworn to his Colours, ſhal follow them; And whoever ſhall (without leave) ſtay behind, or depart above a Mile from the Camp, or out of the Army without licence, ſhall march in Irons, for ſuch time as ſhall be found fit.

ART. XX.

WHen the Army, or any part of them, ſhall march through, or lodge in the Countrey; None of them ſhal extort free quarter, or money from them, or ſhal commit any waſte or ſpoil: Or cut down Fruit trees, or Planting, deface Walks of Trees, Parks, Warrans, Fiſh-ponds, Houſes or Gardens, trade down, or otherwiſe deſtroy ſtanding Corn in the ear. Neither ſhall they put their Horſes into Meadows, without leave from their chief Officer, upon pain of ſevere puniſhment: But if any Officer or Soldier ſhall wilfully burn any Houſe, Barn Stack of Corn, Hay, or Straw, or any Ship, Boat, or Carriage, or any thing which may ſerve for the proviſion of the Army, without leave from the Commander in chief, ſhall ſuffer death for it.

ART. XXI.

WHon the Army, or any part thereof, ſhall come to engage the Enemy in fight, whoſoever ſhal run from his Colours (be he Native or Stranger) or doth not defend them to the utmoſt of his power, ſo long as they are in any danger, ſhall ſuffer death for it: And whatſoever perſon ſhall at any other time run away from his Colours, ſhall ſuffer death.

ART. XXII.

IF any Regiment, or commanding Party, ſhal not behave themſelves in fight againſt an Enemy, as they ought to do, they ſhal either die, or be diſgracefully Caſhiered, until by a notable Act they redeem their Honour.

ART. XXIII.

WHen it ſhal pleaſe GOD, that Our Forces ſhall beat the Enemy, every man ſhal follow their Officer in the chaſe; But whoſoever ſhall preſume to pillage or plunder, till the enemy be intirely beaten, and any misfortune happen, he ſhall ſuffer death, or ſuch other puniſhment

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es ſhall be pronounced againſt him by Our General Court-Martial, and the Pillage ſo gotten, ſhall be forfeited to the uſe of the ſick and maimed Souldiers.

ART. XXIV.

WHen any Town or Place ſhall be taken (though by aſſault) no man ſhall preſume to Pillage any Church or Hoſpital (without leave or neceſſary reaſon) much leſs to ſet fire to any Church, Hoſpital, School, or Miln: Neither ſhall they offer violence to any Churchmen, aged Men or Women, Maids or Children; unleſs they be found actually in Arms againſt them, upon pain of Death: And whoever ſhall force a woman to abuſe her, (whether belonging to the Enemy or not) and the fact be ſufficiently proven againſt him, he ſhall certainly ſuffer death for it.

ART. XXV.

IN what place ſoever it ſhall pleaſe GOD, that the Enemy ſhall be ſubdued and overcome, all the Ordnance Ammunition and Victuals, that ſhall be there found, ſhall be ſecured for our uſe; and for the better relief of the Army, & one tenth part of all the ſpoil ſhal be laid apart towards the relief of the ſick and maimed Soldiers.

ART. XXVI.

WHover ſhall take any General-Officers as Priſoners, ſhall preſent them to Us, or Our General, or the Officer in Chief, commanding our Forces, who will reward them: and they who ſhall take other Priſoners, may keep to themſelves, the Officers and Voluntiers, giving their names to the Martial general; But ſhall not put them to Ranſom, without Our, or Our General-Officers leave. And they are immediatly to ſend all privat Soldiers ſo taken, to the Martial-general, who is to take them into cuſtody.

ART. XXVII.

IF any Soldier ſhall be drunk in the Enemies Quarters, before they have wholly laid down their Arms, and yielded to mercy, and any hurt or miſchief enſue thereon, he ſhall be puniſhed according to the prejudice, if it be general, or with Irons, Bread and Water, if no hurt enſue it.

ART. XXVIII.

ALL Officers whoſe Charge it is, ſhall ſee the Quarters kept clean and neat, upon pain of ſevere puniſhment.

ART. XXIX.

NO Officer ſhall ly out all night from the Camp or Quarters, without his Superior-Officers leave obtained for the ſame; upon pain of being puniſhed for it, as a Court martial ſhall think fit. Neither ſhall any Soldier, or Officer, go any by-way to the Camp, other than the common way laid out for all, upon pain of being puniſhed as aforeſaid.

But if any Officer, ſhall without leave, be abſent from his Quarters a week, he ſhall loſe one months pay; and if longer, he ſhall be diſcharged of his Command or Place, as a man unfit to bear Office in the Army.

ART. XXX.

NO Soldier ſhall preſume to make any alarm in the Quarters, by ſhooting of his Muſket in the night, after the Watch is ſet, unleſs it be at an Enemy, upon pain of death.

ART. XXXI.

NO Soldier ſhall in anger draw his Sword in any Camp, Poſt, or Garriſon, upon pain of death.

ART. XXXII.

WHen warning is given for ſetting the Watch, by beat of Drum, or ſound of Trumpet or Fife, if any Soldier ſhal abſent himſelf withour reaſonable cauſe,

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he ſhal be puniſhed by riding a Wooden Horſe, or otherwiſe, at the diſcretion of the Commander.

And whatever Soldier ſhal fail at the beating of a Drum, or the ſound of Trumpet or Fife, or upon any alarm given to repair to his Colours, with his Arms decently kept, and well fixed (unleſs there be an evident neceſſity to hinder him from the ſame) he ſhal either be clapped in Irons for it, or ſuffer ſuch other puniſhment, as a Court-martial ſhal think fit.

ART. XXXIII.

WHoever makes known the Watch-word without order, or gives any other word but what is given y the Officer, ſhal ſuffer death.

ART. XXXIV.

A Centinel who is found ſleeping in any Poſt, Garriſon, Trench, or the like (while he ſhould be upon his duty) ſhal ſuffer death, or ſuch other puniſhment as Our General Court-Martial ſhal by their ſentence inflict for the ſame.

And if a Centinel or Pardue ſhal forſake his place, before he be relieved or drawn off; or upon diſcovery of an Enemy, ſhal not give warning to his Quarters, according to his direction, he ſhal ſuffer death, or ſuch other puniſhment as Our General Court-Martial ſhal think fit.

As likewiſe, if any Soldier employed as a Scout, ſhal not go upon that Service ſo far as he is commanded; or having diſcovered an ambuſh, or approach of the Enemy, ſhal not return forthwith to give notice or warning to his Quarters, or if he enter into any houſe, and there or elſewhere be found ſleeping, or drunk, whilſt he ſhould have been upon duty, he ſhal ſuffer death.

ART. XXXV.

WHoever ſhal do violence to any who ſhal bring Victuals to the Camp or Garriſon or ſhal take his Horſe or Goods, ſhal ſuffer death, or ſuch other puniſh-

ment as he shall be sentenced to by Our General Court-Martial.

If any presume to beat or abuse his Host, or the wife, child, or servant of his Host, where he is quartered or billeted, he shall be put in Irons for it: and if he do it a second time, he shal be further punished, and the party wronged shall have a mends made him. And if any presume to exact free quarter without leave from the chief officer upon the place, they shal be severely punished at the discretion of a Court-martial.

ART XXXVI.

NO Soldier or Officer shal use any reproachful or provocking speech, or Act to another, upon pain of imprisonment, and such other punishment as a Court-martial shall think fit.

Neither shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier to fight a Duel: Neither shall any Soldier or Officer presume to upbraid another for refusing a challenge: For whoever shall offend in either of these cases, if he be an Officer, he shall lose his Place and Command, whatever it be; and if a privat Soldier, he shall ride the Wooden Horse, and be further punished as a Court-martial shall think fit. And if any Corporal or other Officer commanding a Guard, shall willingly or knowingly suffer either Soldiers or Officers to go forth to a Duel or privat Fight, he shall be punished for it, by the sentence of a Court-martial.

Forasmuch, as all Officers of what condition soever, shall have power to part and quell all Quarrels, Frays and suddain Disorders between Soldiers and Officers, though of another Company, Troop or Regiment, and to commit the disordered persons to prison, until their proper Officers be acquainted therewith: And whoever shall resist such an Officer (though of another Company, Troop, or Regiment) or draw his Sword upon him, shall be severe-

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ly puniſhed, as our General Court-martial ſhall appoint But if two or more, going into the field to fight a Duel, ſhall draw their Swords,or other Weapons, though neither of them fall upon the ſpot,nor die afterwards of any wound there received ; yet if they be Officers, they ſhall loſe their Places ; and if common Soldiers, they ſhall be puniſhed with riding the Wooden-horſe, or otherwayes as a Court-martial ſhall direct. And laſtly, in all caſes of Duels,the Seconds ſhall be taken as Principals, and puniſhed accordingly.

ART. XXXVII.

NOne ſhall be Muſtered, but ſuch as are compleatly Armed with a ſufficient Sword, and other Arms.

If any borrow Arms of another to paſs the Muſter withal, the Lender,if he be a Soldier,ſhall forfeit the value of the Arms ſo lent,to be taken out of his Pay,and the Borrower ſhal be ſeverely puniſhed.

ART XXXVIII.

NOne ſhall be allowed upon any Muſter,who by loſs of Limbs, or otherwiſe is unable for Our Service, but by order from Us or Our General.

ART. XXXIX.

NO Houſe-keeper or Inhabitant in the uſual Quarters of *Our* Guard of Horſe or Foot,or in the uſual Quarters of any other Regiment or Gariſon,ſhal be received or entertained into our Service and Pay, and Muſtered as a private Soldier,without Order from Us,or Our General ; Nor ſhal any Officer demand or receive directly or indirectly any Sum of Money whatſoever,from any under his command, for admitting and entertaining him into his Troop,Company,or Garriſon,upon pain of being Cathiered,or rendered incapable of ever being imployed again in the Army.

ART. XL.

NO Captain of a Troop or Company ſhal upon pain of being rendered incapable of ever ſerving in our Army

any more,be allowed to Muſter any Servants in his Troop or Company, but thoſe who are not only fit and able for Our Service, but alſo are bound by Oath and Pay to follow the Troop or Company,and who duely and conſtantly appear at every Muſter in proper Arms, unleſs they have leave to be abſent, which is not to be granted but upon a real and good occaſion. And whatever other perſon ſhal preſent himſelf or his Horſe in the Muſter,to miſlead the Muſter-Maſter,or defraud us,he ſhal ſuffer ſuch puniſhment as our General Court-Martial ſhal think fit.

ART. XLI.

NO man ſhal preſume to preſent himſelf to the Muſter-Maſter,to be enrolled in the Muſter-rolls by a Counterfeit or wrong name or ſurname, or place of Birth or Habitation,upon pain of running the Goad-loup, if it be a Foot-man ; or forfeiting the Horſe and Arms he has, if he be a Horſe-man.

ART. XLII.

ALL Forlofs for ſome time ſhal be given by the Captain of each Troop, or Collonel of a Foot Regiment, and if it ſhal be found, that under ſuch Licences there is any colluſion,the perſon guilty thereof shal not get what remains due of his Pay, nor thereafter be admitted into that Troop or Regiment.

ART. XLIII.

NO Muſter-maſter ſhal knowingly let any paſs the Muſter, but ſuch as are qualified according to the precedent Articles, upon penalty of loſing his place.

ART. XLIV.

WHatever Lieutenant,Cornet,or Enſign ſhal diſcover and make proof to the General-Officer or Collonel, that his Captain hath made falſe Muſters, the ſaid Captain shal be caſhiered, and the Lieutenant or Enſign diſcovering as aforeſaid, shal have the place of his Captain ; and whatever Serjeant or Corporl ſhal diſcover or make proof

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of false Musters, as aforesaid, shal have for each time the sum of five hundred Merks *Scots* Money, payable by the Pay-master at the first Muster immediatly following the discovery so made; but if his accusation shal upon examination be found false and malicious, in that case he shal be immediatly Cashiered, and suffer such further punishment as shal be judged fit by our General Court-martial.

ART. XLV.

IF any Soldier shal be sick, wounded or maimed in our Service, he shal be sent out of the Camp to some fit place for his recovery, where he shal be provided for by the Officer appointed to take care of sick and wounded Soldiers, & his wages and pay shal go on, and be duly paid, until it doth appear that he can be no longer serviceable in our Army, and then he shal be sent by Pass to his Countrey, with Money to bear his charges in his Travel.

ART. XLVI.

ALL Captains shal use their utmost endeavours to have their Troops and Companies compleat and full, and within two days after every General Muster, both the Captain and our Muster-master shal send to the General, (if he require it) and to the Treasurer or *Pay*-master of the Army, a perfect List and Roll of all the Officers, Troopers and Soldiers of their Troops and Companies, that are in actual Service, punctually expressing at the foot of the Rolls, what new Officers, Troopers and Soldiers have been intertained since the preceeding Muster, in lieu of such as have been Cashiered, or are deceased, with the day when the one died or went off, and the other was intertained in his place.

ART. XLVII.

ALL Commissions granted by us to our General, to any Officer in Pay, shal be brought to the Muster-master, who is to receive and enter the same in a Book fairly written,

ten, and no Commiſſion-Officers ſhal be allowed in Muſters, without a Commiſſion from us or our General, and the ſame entered with the Commiſſary General of the Muſters, or their Deputies, who are hereby required forthwith, and from time to time to ſend the Officers names to the Secretary, and Judge-Advocat of our Forces, or Regiſter of our Court-martial.

ART. XLVIII.

NO Commiſſion Officer after Enrolment, and being muſtered, ſhal be diſmiſſed or caſhiered without order from us or our General. But for Non-commiſſion-officers or privat Soldiers, their Captains, with the approbation of their Collonels, or of the Governour of the Garriſon where they are, may diſcharge them when they find cauſe, taking other Non commiſſion officers or Soldiers in their places: Provided that ſuch Collonel or Governour ſhall forthwith certify the Commiſſaries-General of the Muſters, that (by their approbation) ſuch Non-commiſſion Officers or Soldiers were diſcharged, and others taken into their places reſpectively. And in Quarters and Garriſons, where they are only ſingle Troops or Companies, the Captains Certificats are forthwith to be ſent and accepted by the Commiſſaries-General, expreſſing the day of each Non-commiſſion-Officers or Souldiers Diſcharge or Death, and who was intertained in his place.

ART. XLIX.

WE do expreſly forbid any Soldiers Duty either of Horſe or Foot, to be done by any other than the Soldier himſelf, but in caſe of Sickneſs and Diſability, or other neceſſary cauſe, his Captain may diſpenſe with his abſence, without cauſing him to find another to ſerve in his ſtead.

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ART. L.

THe Muſter-Maſter ſhall alwayes (the night before) give notice to the Officer in Chief, commanding any Regiment, Troop, Company or Gariſon, of the time and place for their Muſters, that ſo the Officers and Soldiers may have time to make ready for the Muſter. Upon every Muſter, three Muſter Rols are to be prepared of the Reſpective Troops and Companies, in which Rolls the Names of all privat Soldiers are to be written Alphabetically, one of which Rolls is to be in Parchment for the Pay-Maſter, and to be ſubſcribed (together with another Roll which the Muſter-Maſter is to keep) by two Commiſſion Officers (at the leaſt) of the Reſpective Troops and Companies, and the Muſter-Maſter; The third Muſter Roll is to be ſubſcribed only by the Muſter Maſter, which the Officer is to keep, and no Rolls are to be allowed by the Muſter-Maſter and Pay-Maſter, otherwiſe than as We have herein directed: and the ſaid Muſter-Rolls are to be perfected forthwith upon every Muſter.

ART. LI.

IF any Trooper or Dragooner, ſhall loſe or ſpoil his Horſe, or any Foot Soldier his Arms, or any part thereof by negligence or Gaming, he ſhall remain in the quality of a Pioneer or Scavenger, till he be furniſhed with as good as were loſt at his own charge; and if he be not otherwiſe able, the one half of his Pay ſhall be deducted and ſet a part for the providing of it, till he be refurniſhed.

Neither ſkall any Soldier pawn or ſell, or negligently or wilfully break his Arms or any part thereof, or any Hartchets, Spades, Shovels, Pick axes, or other neceſſaries of War, upon pain of ſevere Puniſhment, at the diſcretion of our General Court-Martial.

And where Arms or other neceſſaries aforeſaid ſhall be

pawned, they are to be forfeited and ſeized on for our uſe.

ART. LII.

ALL Officers and Soldiers, and alſo the Muſter-Maſters, not duely obſerving theſe Orders and Inſtructions, & every one of them reſpectively ſhal be Caſhiered, or lyable to ſuch other puniſhments as Our Self, Our General or Court Martial ſhall appoint.

ART. LIII

NOne ſhall preſume to ſpoil, ſell, or convey away any Ammunition delivered unto him, upon pain of ſuffering death, or ſuch other puniſhment as Our General-Court-Martial ſhall think fit.

ART. LIV.

NO Officer, Provider or Keeper of our Victuals or Ammunition for our Forces, ſhal imbezle or willingly ſpoil, or give a falſe account of any part thereof; to whom he is to make his accompt upon pain of ſuffering ſuch puniſhment as our General-Court Martial ſhal think fit.

ART. LV.

NO Commiſſary or Victualler ſhal bring or furniſh unto the Camp any unſound or unſavory Victuals of what kind ſoever, whereby ſickneſs may grow in the Army, or the ſervice be hindred; and if upon Examination before our General Court-Martial, he ſhal be found guilty, he ſhal ſuffer ſuch puniſhments as they ſhal think fit.

ART. LVI.

NO Officer or Soldier ſhal be a Victualler in the Army without conſent and allowance of our General, or of the Officer in chieff of the Regiment, upon prain of being puniſhed at diſcretion.

ART.

ART. LVII.

NO Victualer or Seller of Beer, Ale or Wine, belonging to the Army, shal entertain any Soldier in his House, Booth, Tent or Hut, after the Warning-piece, Tattoe, or Beat of Drum at night, or before the beating of Revalles in the morning; nor shal any Soldier (within that time) be any where, but upon his duty, or in his quarters upon pain of punishment, both to the Soldier & Entertainer, at the discretion of a Court-Martial.

ART. LVIII.

THe Commission Officers of every Regiment may hold a Court-Martial for that Regiment, upon every necessary occasion. There shal also be a Provost-Martial of every Regiment, likeas there shal be a Martial in the Troop of Guard, who shal have the same priviledge in his own Regiment or Troop, as the Provost-Martial-General hath in the Army or Camp, and such Fees also the Court-Martial shal allow.

ART. LIX.

THose who are Judges in our General-Court-Martials, or in Regimental Court Martials, shal hold the same Rank in those Courts as they do in the Army for orders take, and they shal take an Oath for the due aministration of Justice, or (where these Articles assign no absolute punishment) according to their consciences, the best of their understandings, and the custom of War in like cases, and shal demean themselves orderly in the hearing of Causes (as becomes the gravity of such a Court) & before giving of Sentence, every Judge shal deliver his vote or opinion distinctly; and the Sentence is to be according to the plurality of Votes and if there happen to be an equality of Votes, the President is to have a casting Vote.

And when the Sentence is to be given, the President shal pronouce it, & after that the Sentence is pronounced, the

Provoſt-Martial ſhal have warrant to cauſe Execution to be done according to the Sentence.

ART. LX.

AT our General-Court-Martial there ſhal be a Clerk, who is to be ſworn to make true and faithful Records of all the proceedings of that Court; and there ſhal be alſo ſuch other Officers appointed both for that, and alſo for the Regimental Court-Martials as ſhal be neceſſary: And our General-Court-Martial may appoint and limit the Fees of our Provoſt-Martial-General, as they ſhal think fit.

ART. LXI.

ALL Controverſies, either between Soldiers and their Captains or other Officers, or between Soldiers and Soldier, relating to their Military capacities, ſhal be ſummarily heard and determined at the next Court-Martial of the Regiment.

ART. LXII.

IN any matter which ſhal be adjudged in any of the aforeſaid Regimental Court-Martials, either of the Parties that finds himſelf aggrieved, may appeal to our General-Court-Martial, who are to take care, that if the party appealing make not good his Suggeſtion, recompence be made to the other for the trouble and charges of ſuch an Appeal.

ART. LXIII.

IN all Criminal Cauſes which concern our Crown, our Advocat General, or Judge Advocat of our Army, ſhal inform the Court, and proſecute on our behalf.

ART. LXIV.

NO Officer or Soldier ſhal preſume to hinder the Provoſt-Martial, his Lieutenant or Servant, in the execution of that Office, upon pain of death, or ſuch other puniſhment as our Court-Martial ſhal think fit. But on the contrary, all Captains, Officers and Soldiers, ſhal do their utmoſt to apprehend and bring to puniſhment all offenders,

and

and ſhal aſſiſt the Officers of our Army or Regiments for that purpoſe, eſpecially the ſaid Provoſt Martial his Lieutenant and Servants. And if the Provoſt-Martial or his Officers require the aſſiſtance of any Officer or Soldier, in apprehending any perſon, declaring to them that it is for a capital Crime, and the party eſcape for want of aid and aſſiſtance, the party or parties refuſing to aid or aſſiſt, ſhal ſuffer ſuch puniſhment as our Cour-Martial ſhal inflict.

ART. LXV.

THat Officer or Soldier who ſhal preſume to draw his Sword in any Place of Judicature, while the Court is ſitting, ſhal be put to death. And We hereby authorize our Provoſt Martial General of our Army by his own authority to apprehend ſuch offenders. And if any Soldier being committed for any offence, ſhal break Priſon, the ſaid Provoſt-Martial-General ſhal by his own authority apprehend him; and the offender ſhal ſuffer death, or ſuch other puniſhment, as our General-Court Martial ſhal think fit.

ART. LXVI.

IF any Fray ſhal happen within the Camp or Place of or Garriſon, in any of the Soldiers Lodgings, or where they meet, it ſhal be enquired into by the Officers of the Regiment, and the beginners and purſuers thereof puniſhed according to the quality of the offence.

ART. LXVII.

IF any Inferior Officer, either Horſe or Foot be wronged by his Officer, he may complain to his Collonel, or othe Superior Officer of the Regiment, who is to redreſs the ſame upon due proof made of the wrong done; but if he fail therein, the Party aggrieved is to apply to the General-Officer for redreſs; And if the accuſation be falſe, the Complainant is to be puniſhed, according as his Officer deſerved, if he had been found guilty.

ART.

ART. LXVIII.

IF any Collonel or Captain, shal force or take any thing away from any privat Soldier; that Collonel or Captain shal be punished according to the quality of the Offence, by the judgment of Our General Court-Martial. But if a Soldier shal be wronged, and shal not appeal to the Court, or his Superior Commanders, but take his own satisfaction for it, he shal be punished by the judgment of a Court-Martial.

ART. LXIX.

IF any Soldier die, no other shal take or spoil his goods, upon pain of restoring double the value to him to whom they belong, and of such further punishments, as Our Court-Martial shal think fit. But the Captain of the Company of which such a Soldier was, shal take the saids Goods into his custody, and dispose of them for paying his Quarters, and to keep the over plus (if any be) for the use of those to whom they belong, and who shal claim the same within three months after his death. And if any Captain or Officer die, the chief Commander shal take care of preserving his Estate in like manner.

ART. LXX.

NO Provost Martial shal refuse to receive or keep a Prisoner sent to his charge by authority, or shal dismisse him without order, upon pain of such punishment as a Court-Martial shal think fit. And if the offence for which the Prisoner was apprehended deserved Death, the Provost-Martial failing to receive and keep him as a foresaid, shal be lyable to the same punishment.

ART. LXXI.

IF any person be committed by the Provost-Martials own Authority, without other command, he shal acquaint the General, or other chief Commander, with the cause thereof, within twenty four hours; and the

Provost

Provoſt-Martial shal thereupon diſmiſſe him, unleſs he have ord er to the contrary.

ART. LXXII.

NO man shal preſume to uſe any braving or menacing words, ſigns or geſtures, where any of the foreſaid Courts of Juſtice are ſitting, upon pain of ſuffering ſuch punishment as the Court Martial shall think fit.

ART. LXXIII.

WHen ever any ſentence of Death is given out in the Court-Martial, it shal be read by the Regiſter of the Court in the preſence of the condemned, and ſigned by the Preſident, thereafter it shal be given to the General or chief Officer, who may notwithſtanding ſuſpend the ſame, untill he shal acquaint Us, or ſee it put in Execution when he ſhal think fit.

ART. LXXIV.

IN the General Court-Marial ſhal always preſide one of the Great Officers of the Army, Likeas in the Regiments of Foot, the Colonel or Lieutenant Colonel: And when it ſhal happen to fall out amongeſt the Horſe, the Captain of our Guard ſhall Preſide, or a General Officer, who for want of number to make up twelve with the Preſident, may call Officers of Foot, who all ſhall take the Oath aforeſaid, and then proceed to their Judgement, untill Sentence ſhall be pronounced againſt the Delinquent, or in the matter controverted.

ART. LXXV

WHatever is to be publiſhed, or Generally made known, ſhal be done by beat of Drum, or ſound of Trumpet, that ſo no man may pretend ignorance thereof And after that, whoever ſhal be found diſobedient, or faulty againſt what is thus publiſhed, ſhal be puniſhed conform to the pain contained in the Proclamation,

ART.

ART. LXXVI.

LIkewiſe all Victuallers, that Victual in the Camp, ſhal be ſubject to the aforeſaid *Articles*, and the Council of War there being on the *Penalties* foreſaid, and ſhal not draw any Wine or Beer, for any one in the Evening, an hour before the Sun ſetting or in the Morning, as much before the Riſing thereof, without particular Orders from the General, or the Commanding Officer in the Camp, on pain of Forfaulting three pounds *Scots*, for every time they ſhal be found t have done ſo: The ſaid Forefault to be converted, the one half thereof to the *Provoſts* behove, and the other to the *Relief* of the *Poor*.

ART. LXXVII.

ALL other Abuſes and Offences not ſpecified in theſe Orders, ſhal be puniſhed according to the Ordinances, Laws and Cuſtoms of War.

ART. LXXVIII.

AND if any Soldiers ſhall not be preſent at the proclaiming of theſe Orders and Laws, they ſhal notwithſtanding be as much bound to the obſervation of them, as the others who were preſent; but to the end none may pretend *Ignorance*, and every one have Notice thereof: It is Ordered, that the ſame ſhal be every where Publiſhed, on the Muſterday, and the Commiſſaries to cauſe all the *Soldiers* to ſwear accordingly thereunto.

FINIS.